IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Veronica Brockhurst et al.

Filed: May 9, 2001

For: AN ASSAY

Serial No.: 09/852,903

Group Art Unit: Unknown

Examiner: Unknown

Atty Dkt: DIAT:003

#5

Pursuant to 37 C.F.R. 1.8, I certify that this correspondence is being deposited with the U.S. Postal Service in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date below:

12-13-01 Marty Baum

Date Name

Assistant Commissioner For Patents
Washington, D.C. 20231

Dear Sir:

PRELIMINARY AMENDMENT

Please amend the application as follows in order to reduce fees.

In the claims:

Attached at the end of this paper is an Appendix providing an indication of the changes relative to the prior version of the claims that are being amended, as now required by Rule 121(c).

4. (Amended) A method according to Claim 1 wherein the spacer oligonucleotide region is from about 2 to about 400 nucleotides in length.

7. (Amended) A method according to Claim 1 wherein the template nucleic acid molecule is from a nucleic acid molecule which has been subject to amplification.

10. (Amended) A method according to Claim 1 wherein the nucleic acid molecule is DNA.

12. (Amended) A method according to Claim 1 wherein the nucleotide repeat region is characteristic of a new degenerative disease.

15. (Amended) A method according to Claim 1 wherein the solid support is glass or a polymer.

25. (Amended) A method according to Claim 23 for the detection of a neurodegenerative disease.

The amendment of claims 4, 7, 10, 12, 15, and 25 are to remove multiple dependencies. The new claims hereinbelow set off as separate dependent claims the multiple dependencies now deleted from amended claims 4, 7, 10, 12, 15, and 25.

Please add new claims 28-38:

28. (New) A method according to Claim 2 wherein the spacer oligonucleotide region is from about 2 to about 400 nucleotides in length.

29. (New) A method according to Claim 3 wherein the spacer oligonucleotide region is from about 2 to about 400 nucleotides in length.

30. (New) A method according to Claim 2 wherein the template nucleic acid molecule is from a nucleic acid molecule which has been subject to amplification.

31. (New) A method according to Claim 3 wherein the template nucleic acid molecule is from a nucleic acid molecule which has been subject to amplification.

32. (New) A method according to Claim 2 wherein the nucleic acid molecule is DNA.

33. (New) A method according to Claim 3 wherein the nucleic acid molecule is DNA.

34. (New) A method according to Claim 2 wherein the nucleotide repeat region is characteristic of a new degenerative disease.

35. (New) A method according to Claim 3 wherein the nucleotide repeat region is characteristic of a new degenerative disease.

36. (New) A method according to Claim 2 wherein the solid support is glass or a polymer.

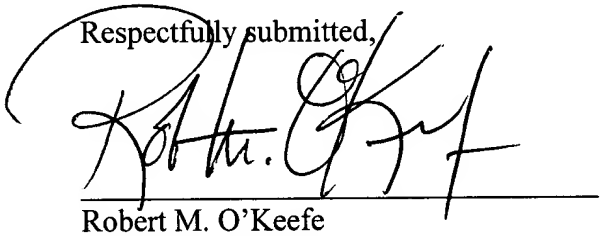
37. (New) A method according to Claim 3 wherein the solid support is glass or a polymer.

38. (New) A method according to Claim 24 for the detection of a neurodegenerative disease.

REMARKS

Should any fees under 37 CFR 1.16-1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct such fees from Deposit Account No. 10-1205/DIAT:003. The examiner is invited to contact the undersigned at the phone number indicated below with any questions or comments, or to otherwise facilitate expeditious and compact prosecution of the application.

Respectfully submitted,



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APPENDIX
MARKED UP VERSION OF AMENDMENTS AS REQUIRED BY RULE 121

In The Claims:

4. (Amended) A method according to Claim 1 [or 2 or 3] wherein the spacer oligonucleotide region is from about 2 to about 400 nucleotides in length.

7. (Amended) A method according to Claim 1 [or 2 or 3] wherein the template nucleic acid molecule is from a nucleic acid molecule which has been subject to amplification.

10. (Amended) A method according to Claim 1 [or 2 or 3] wherein the nucleic acid molecule is DNA.

12. (Amended) A method according to Claim 1 [or 2 or 3] wherein the nucleotide repeat region is characteristic of a new degenerative disease.

15. (Amended) A method according to Claim 1 [or 2 or 3] wherein the solid support is glass or a polymer.

25. (Amended) A method according to Claim 23 [or 24] for the detection of a neurodegenerative disease.